

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

FRANK WILSON,
Petitioner,

v.

ERIC TICE,
Respondent.

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CIVIL ACTION
NO. 19-1247

ORDER

AND NOW, this 30th day of September, 2020, upon careful and independent consideration of the record in this case, the Report and Recommendation of United States Magistrate Judge Marilyn Heffley (ECF No. 21), and Petitioner's failure to file any objections therein in accordance with Local Civil Rule 72.1.IV(b), it is hereby ORDERED as follows:

1. The Report and Recommendation (ECF No. 21) is APPROVED and ADOPTED.
2. The Petition for a Writ of Habeas Corpus (ECF Nos. 6, 14) is DISMISSED WITHOUT PREJUDICE.
3. A certificate of appealability SHALL NOT issue, as Petitioner has not made a substantial showing of a denial of a constitutional right nor demonstrated reasonable jurists would debate the correctness of the procedural aspects of this ruling. *See* 28 U.S.C. § 2253(c)(2); *Slack v. McDaniel*, 529 U.S. 473, 484 (2000).
4. The Clerk of Court shall mark this case CLOSED for statistical purposes.

BY THE COURT:

/s/ C. Darnell Jones, II
C. DARNELL JONES, II J.